

Remarks/Arguments:

Applicants wish to thank the Examiner for her careful review of the previous amendment and for the helpful suggestions contained in the current Office Action.

Applicants also note that the Examiner has withdrawn the Final Rejection and has issued a Non-Final Office Action for this application.

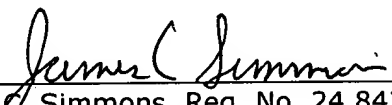
The Examiner has rejected claims 1, 4-14, 16-19, 22, 27, 30-32 and 35-50 under 35 U.S.C. § 112, first paragraph. Applicants respectfully traverse the rejection pointing out that the claims as amended positively recite that the user of the process can maintain a ratio of more volatile to less volatile constituents in a solution undergoing concentration in the distillation plant by recycling a portion of the condensate from a condensation stage of the overall apparatus or of the process. In view of the amendments to claims 1, 14 and 50, the only independent claims in the application, it is respectfully submitted that the rejection of the enumerated claims under 35 U.S.C. § 112, first paragraph has been overcome and should be withdrawn.

The Examiner has noted several objections to claims 1, 7, 13, 16, 17, 31 and 32. It is respectfully submitted that the cancellation of certain claims and the amendment of the claims enumerated have overcome the objections noted by the Examiner.

Applicants note that the Examiner has indicated claims 1-4, 14, 16-19, 22, 27 and 30-32 and 35-50 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph. It is respectfully submitted that applicants amendments to certain of the claims as set forth in this amendment and the cancellation of others overcome the rejections under 35 U.S.C. § 112, first and second paragraphs and as such now contain allowable subject matter.

Applicants respectfully request a Notice of Allowance be issued in the above-identified application.

Respectfully submitted,


James C. Simmons, Reg. No. 24,842
Attorneys for Applicants

JCS/mc

Dated: August 29, 2005

☒ P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

29 August 2005
